

# Exhibit C

**Hofman, Herman D.**

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**From:** Clayman, John <JClayman@fdlaw.com>  
**Sent:** Wednesday, February 2, 2022 6:29 PM  
**To:** Hofman, Herman D.  
**Cc:** Caywood, Candace; Simms, Amber; eparzianello@hspplc.com; kmajewski@hspplc.com; sdenenfeld@lewisreedallen.com; Clayman, John  
**Subject:** BOKF/Ortiz v. Nelms (123.001) - Response to Subpoena  
**Attachments:** 2022-02-02 Herman D. Hofman, Esq..pdf; 2022-02-28 - Nelms et al..pdf

Good evening Mr. Hofman:

Please see the attached. Thank you. Best regards.

John D. Clayman  
Admitted in Oklahoma and Texas  
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February 2, 2022

**VIA SCANNED E-MAIL ONLY**

Herman D. Hofman, Esq.  
VARNUM  
Bridgewater Place  
Grand Rapids, Michigan 49501-0352

RE: ***BOKF, NA d/b/a Bank of Texas/Ortiz v. Nelms***  
***Civil Action No. 1:21-CV-00495***  
***Subpoena to Bank of Texas***

Dear Mr. Hofman:

Our law firm is general counsel to BOKF, NA d/b/a Bank of Texas ("BOKF"). Our office coordinates the production of documents for BOKF. We have recently been provided with a copy of the enclosed Subpoena.

The entities named in the Subpoena are not parties to the above-referenced action. In Texas, there is a provision known as the Texas Right to Financial Privacy Act, found at Tex. Fin. Code §59.006. Given that compliance with the Subpoena effectively takes place in the State of Texas, we respectfully believe the provisions of §59.006 apply to the Subpoena before any documents can be produced.

In order to protect the financial privacy of these BOKF customers, you will have to comply with the provisions of §59.006, including arranging for the expense of the production, before BOKF will be in a position to produce the documents. Accordingly, please treat this correspondence as BOKF's objection under FRCP Rule 45(d)(2)(B) because of the need to notify these entities of the Subpoena.

I'm happy to visit with you further on these matters so please don't hesitate to set up a call with me. Please let me know if you have any additional questions or comments.

Herman D. Hofman, Esq.  
VARNUM  
February 2, 2022  
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Sincerely,

A handwritten signature in black ink, appearing to read "John D. Clayman". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John D. Clayman  
For Frederic Dorwart, Lawyers PLLC

Enclosure

cc: BOKF, NA Contacts (via scanned e-mail only w/enclosure)  
Eric Parzianello, Esq. (via scanned e-mail only w/enclosure)  
John A. Hubbard (via scanned e-mail only w/enclosure)  
Kevin C. Majewski, Esq. (via scanned e-mail only w/enclosure)